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# HOUSE BILL No. 1013

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8-4-2.

**Synopsis:** Police officer and firefighter residency. Enables the city of Gary to adopt an ordinance to require newly hired members of the municipality's police or fire department to live within the municipality until the members have served in the department for five years.

**Effective:** July 1, 2003.

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## Smith V, Brown C

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January 7, 2003, read first time and referred to Committee on Local Government.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1013

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-8-4-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) Except as provided in  
3 subsections (c), ~~and~~ (d), **and (e)**, members of the police and fire  
4 departments must reside in Indiana in one (1) of the following areas:  
5 (1) Within the county in which the city, town, or township is  
6 located. ~~or~~  
7 (2) In a county that is contiguous to the county in which the city,  
8 town, or township is located.  
9 (b) In a consolidated city, a member who was residing outside the  
10 county on January 1, 1975, is exempt from subsection (a).  
11 (c) A municipality with a population of less than seven thousand  
12 five hundred (7,500) may adopt an ordinance that requires a member  
13 of the municipality's police or fire department to comply with the  
14 following:  
15 (1) Reside within the county in which the municipality is located.  
16 (2) Have adequate means of transportation into the municipality.  
17 (3) Maintain in the member's residence telephone service with the



1 municipality.

2 (d) This subsection applies to a municipality that:

3 (1) has a population of less than seven thousand five hundred  
4 (7,500); and

5 (2) adopted an ordinance to establish the requirements described  
6 in this subsection before September 1, 1984.

7 A municipality may require, in addition to the requirements of  
8 subsection (c), that a member of the police or fire department reside  
9 within the municipality until the member has served in the department  
10 for five (5) years.

11 (e) **This subsection applies to a municipality having a population**  
12 **of more than ninety thousand (90,000) but less than one hundred**  
13 **five thousand (105,000). Notwithstanding subsection (a), the**  
14 **municipal legislative body may adopt an ordinance to require a**  
15 **member of the municipality's police or fire department who is**  
16 **hired after the effective date of the ordinance to reside within the**  
17 **municipality until the member has served in the department for**  
18 **five (5) years.**

19 (f) An ordinance adopted under subsection (c) **or (e)** or described  
20 in subsection (d)(2) may not require a member of a municipality's  
21 police or fire department to reside within the county in which the  
22 municipality is located if the member resides outside the county on the  
23 date the ordinance is adopted.

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